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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/645,208	08/21/2003	Frans Tuomela	5420-7	7232

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EXAMINER

FIGUEROA, MARISOL

ART UNIT	PAPER NUMBER
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2681

DATE MAILED: 02/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/645,208	Applicant(s) TUOMELA ET AL.	
	Examiner Marisol Figueroa	Art Unit 2681	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11/30/2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. This Action is in response to Applicant's amendment filed on 11/30/2005. Claims 1-18 are still pending in the present application. The rejections not addressed below have been withdrawn.

### *Response to Arguments*

2. Applicant's arguments filed 11/30/2005 have been fully considered but they are not persuasive.

3. In response to the Applicant's argument that nowhere in Holloway teach or suggest a proposal of an address of another communication system (page 6, lines 15-21 of the response), the Examiner respectfully disagrees. The claim limitation does not specifically and uniquely distinguish from the applied Prior Art. Holloway teaches the transmission of a phone number (i.e. proposal address) by a preferred phone of the user's home (e.g. land line network) and this phone number is used to set up call forwarding from the user's mobile phone to the user's home phone, therefore, the phone number is the address (or target number) through which calls are redirected (p.0006; p.0017, lines 1-16).

4. In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the reasons to combine are stated are supported in the references, specifically in the paragraphs stated in the non-final rejection.

***Claim Rejections - 35 USC § 102***

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. **Claims 1-4, 6-9, 11-14, 17, and 18** are rejected under 35 U.S.C. 102(e) as being anticipated by **Holloway et al. U.S. Publication No. 2003/0092451 A1**.

**Regarding claim 1**, Holloway discloses a method for setting up redirection of contacts coming to a first terminal to at least one other communication system (abstract, lines 1-4), comprising sending: a proposal of an address of said other communication system is sent (P.0006, lines 1-4; P.0017, lines 2-5; when the mobile phone is in close vicinity to the other communication system, e.g. home phone, it receives a signal indicating that it is in proximity to the other communication network and also receives the telephone number to the system to which calls can be forwarded), utilizing a data transmission connection set up between the first terminal and a first communication system to the terminal to be accepted and/or to activate the redirection (P.0017, lines 7-16).

**Regarding claim 2**, Holloway discloses the method according to claim 1, wherein the other communication system is located outside the coverage area of the first communication system (P.0006; P.0016, lines 12-14; the user preferred phone is in different network of the mobile communication network and only accessed when is in close proximity, and when in close proximity the mobile phone is capable of going in standby consequently out of service with the mobile communication network).

**Regarding claim 3**, Holloway discloses the method according to claim 1, wherein the data transmission connection comprises a short-range wireless data transmission connection (P.0006, lines 1-8).

**Regarding claim 4**, Holloway discloses the method according to claim 1, wherein the terminal comprises means for performing a mobile communication (P.0006, lines 1-4; the terminal is a mobile phone therefore it is inherent that it has means for performing a mobile communication).

**Regarding claim 6**, Holloway discloses the method according to claim 1, wherein the received contacts are directed to the other communication system depending at least in part on a parameter (P.0006, lines 1-8; calls are redirected to the other communication system, e.g. telephone home network, when the mobile phone is in proximity to the network).

**Regarding claim 7**, Holloway discloses the method according to claim 1, wherein the contact leaving another terminal and aimed at the terminal is directed to the other communication system in basis of a parameter (P.0006, lines 1-8; calls are redirected to the other communication system, e.g. telephone home network, when the mobile phone is in proximity to the network).

**Regarding claim 8**, Holloway discloses the method of claim 1, wherein a parameter is determined from the terminal that is the actual target of the contact (P.0006, lines 1-8; P.0017, lines 1-5, 7-16; the proximity to the network is determined as the mobile phone comes within the range of the transmitter of the preferred phone causing the calls to the mobile phone to be forwarded to it).

**Regarding claim 9**, Holloway discloses the method according to claim 1, wherein data connected to the redirection is transmitted to another terminal (P.0006, lines 1-8; calls directed to the mobile phone are redirected to the preferred phone).

**Regarding claim 11**, Holloway discloses a system, which comprises a first terminal (figure 2, mobile phone 230), a first communication system coupled to said first terminal via a data transmission connection (p.0017, lines 1-9; the mobile phone and the preferred phone communicates via short range communication), at least one other communication system (e.g.

landline network of the preferred phone), wherein a contact directed to the first terminal is capable of being directed to said other communication system (P.0006, lines 1-8; a mobile phone communicates with a cellular network and in basis of the proximity to a home phone calls are forwarded to the home phone network), wherein the data transmission connection is capable of transmitting the address of the other communication system as a proposal to the first terminal (P.0006, lines 1-4; P.0017, lines 1-16; the home phone notifies the mobile phone of its proximity to the preferred phone and when the mobile phone receives this signal it sends a message to the cellular system to forward calls to the preferred phone), which comprises the means for accepting the proposal and/or for activating the redirection (P.0017, lines 1-16).

**Regarding claim 12**, Holloway discloses the system according to claim 11, wherein the other communication system is located outside the coverage area of the first communication system (P.0006; P.0016, lines 12-14; the user preferred phone is in different network of the mobile communication network and only accessed when is in close proximity, and when in close proximity the mobile phone is capable of going in standby consequently out of service with the mobile communication network).

**Regarding claim 13**, Holloway discloses the system according to claim 11, wherein the data transmission connection comprises a short-range wireless data transmission connection (P.0006, lines 1-8).

**Regarding claim 14**, Holloway the system according to claim 11, wherein the terminal comprises means for performing mobile communication (P.0006, lines 1-4; the terminal is a mobile phone therefore it is inherent that it has means for performing a mobile communication).

**Regarding claim 17**, Holloway discloses the system according to claim 11, wherein, in addition, the system comprises means for directing the contact to the other communication system

Art Unit: 2681

based at least in part on a parameter (P.0006, lines 1-8; calls are redirected to the other communication system, e.g. telephone home network, when the mobile phone is in proximity to the network).

**Regarding claim 18**, Holloway discloses the system according to claim 11, wherein, in addition, the system comprises means for transmitting the data connected to the redirection to another terminal (P.0006, lines 1-8; calls directed to the mobile phone are redirected to the preferred phone).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claim 5 and 15** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Holloway** in view of **Lindberg et al. U.S. Publication No. 2003/0140145 A1**.

**Regarding claim 5**, Holloway discloses the method of claim 1, however fails to disclose wherein the terminal functions in an IP based multimedia system (IMS). Lindberg discloses that with the introduction of IP technology multimedia services the number of ways to communicate increases (P.0018). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to include a terminal to function in an IP multimedia system because there is a variety of communications that can be established, e.g. text chat, speech, plain video telephony, etc.

**Regarding claim 15**, Holloway discloses the method of claim 11, however fails to disclose wherein the terminal functions in an IP based multimedia system (IMS). Lindberg discloses that with the introduction of IP technology multimedia services the number of ways to communicate increases (P.0018). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to include a terminal to function in an IP multimedia system because there is a variety of communications that can be established, e.g. text chat, speech, plain video telephony, etc.

8. **Claims 10 and 16** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Holloway** in view of **Goss et al. U.S. Publication No. 2002/0137498**.

**Regarding claim 10**, Holloway discloses the method according to claim 1, however fails to disclose wherein the deactivation of redirection is automatic when the terminal is switched on or at the latest after a certain time. Goss discloses a method for automatic call forwarding when a mobile unit goes out of service, e.g. mobile unit is powered off, and later when the mobile unit comes into service, e.g. powering on or entering an effective wireless coverage area of a wireless network, automatic call forwarding is deactivated (P.0006; P.0010). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention, to deactivate redirection automatically when a terminal is switched-on because when the terminal switches on is an indication that it is in service and available to receive a call plus overcomes the problems of manually activating and deactivating call redirection.

**Regarding claim 16**, Holloway discloses the system according to claim 11, however fails to disclose wherein the terminal comprises means for automatically deactivating the redirection. Goss discloses a method for automatic call forwarding when a mobile unit goes out of service, e.g. mobile unit is powered off, and later when the mobile unit comes into service, e.g. powering on or entering



Art Unit: 2681

an effective wireless coverage area of a wireless network, automatic call forwarding is deactivated (P.0006; P.0010). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention, to automatically deactivate redirection in order to overcome the problems of manually activating and deactivating call redirection, thus lowering the number of missed calls.

### *Conclusion*

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

10. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marisol Figueroa whose telephone number is (571) 272-7840. The examiner can normally be reached on Monday Thru Friday 8:30 a.m. - 5:00 p.m..

12. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester G. Kincaid can be reached on (571) 272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2681

13. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Marisol Figueroa  
Art Unit 2681

  
2/10/06  
LESTER G. KINCAID  
SUPERVISORY PRIMARY EXAMINER